



JUDICIAL INVESTIGATION COMMISSION

212 Dickinson Street
Post Office Box 1629
Charleston, West Virginia 25326-1629
(304) 558-0169 FAX (304) 558-0831

April 24, 1997

Re: JIC Advisory Opinion 1997-13

Dear

In a letter to the Commission you asked for an advisory opinion concerning the propriety of attendance by a magistrate at annual luncheons/picnics/parties sponsored by Victim Assistance Programs, Sexual Assault Centers, Family Violence Prevention Programs, police agencies, and others. You stated in your correspondence that you regularly receive requests to be a guest at annual functions held by various groups. You indicated in your correspondence that many of these events are held on an annual basis.

The language contained in Canon 2A and Canons 4C(3) of the Code of Judicial Conduct provide direction in addressing your inquiry. Those Canons state in relevant part:

Canon 2. A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities.

A. A judge shall respect and comply with the law, shall avoid impropriety and the appearance of impropriety in all of the judge's activities, and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

Canon 4. A judge shall so conduct the judge's extra-judicial activities as to minimize the risk of conflict with judicial obligations.

C. Governmental, civic, or charitable activities.

April 24, 1997

(3) Civic and charitable activities. - A judge may participate in civic and charitable activities that do not reflect adversely upon the judge's impartiality or interfere with the performance of the judge's judicial duties . . .

The organizations which you have named in your letter to the Commission all represent one interest in a particular area and based upon on their activities as set forth in their organizations' names could appear in court on a fairly regular basis. Based on the language set forth in the above-stated Canons and the nature of the organizations which you have named in your inquiry, a majority of the Commission feels that it would not be proper for you to attend the functions which you have described.

If you have any further question regarding this matter, do not hesitate to contact the Commission.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Fred L. Fox, II", is written over the typed name.

Fred L. Fox, II, Chairman

FLF, II/bl